

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Advantage Travel & Incentives, Inc.,

Court File No.: 10-CV-1974 (MJD/FLN)

Plaintiff,

vs.

ORDER

YMI Creative, LLC,

Defendant.

The above-captioned matter is before the Court on Defendant's Motion to Dismiss Pursuant to Rule 12(b)(3) or, in the Alternative, Motion to Transfer Venue Based on Forum Non-Coveniens.

The Plaintiff is represented by Robert C. Black, Klemp & Stanton, 2295 Waters Drive, Mendota Heights, MN 55120. Defendant YMI Creative, LLC, is represented by Kerry A. Trapp, Morrison Fenske & Sund, P.A., 5125 County Road 101, Suite 202, Minnetonka, Minnesota 55345.

By letter dated January 3, 2011 [Doc. No. 17], Plaintiff informed the Court that it does not oppose the Defendant's motion to dismiss. Accordingly, based upon all the files and records of this proceeding, and the arguments of Counsel,

IT IS HEREBY ORDERED that Defendant YMI Creative, LLC's Motion to Dismiss for lack of personal jurisdiction [Doc. No. 7] is GRANTED and this matter is dismissed without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 4, 2011

s/ Michael J. Davis
The Honorable Michael J. Davis
Chief Judge, U.S. District Court

Civil No. 10-1974 (MJD/FLN)